PATENT COOPERATION TREATY

PCT

TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 203dp01.wo			e	FOR FURTHER A	OR FURTHER ACTION See Form PCT/IPEA/416						
International application No.				International filing da	ate (day/month/year)	Priority date (day/month/year)					
PCT/EP2004/011044			44	04.10.200	4	31.10.2003					
Internati	International Patent Classification (IPC) or national classification and IPC										
C04B24/26,C04B28/00											
Applicant ELOTEX AG											
1.	1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.										
2.	This REPOR	Γ consists o	f a total of	4	sheets, including	this cover sheet.					
3.	This report is	also accom	panied by Al	NNEXES, comprising	:						
	a. (s	ent to the a	pplicant and	to the International Bi	ureau) a total of 3	sheets, as follows:					
	sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).										
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental										
	Box.										
	b (s	ent to the Ir	iternational E	Bureau only) a total of	(indicate type and number	r of electronic carrier(s))					
	, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see										
				rative Instructions).	is indicated in the Supplet	inclinal Box Relating to Sequence Listing (see					
4.	This report co	ntains indic	cations relatir	ng to the following iter	ms:						
	Box N	lo. I	Basis of the	report							
	Box N	No. II	Priority								
	Box N	No. III	Non-establis	shment of opinion with	n regard to novelty, inventi	ive step and industrial applicability					
	Box N	lo. IV	Lack of unit	y of invention							
	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement										
	Box N	lo. VI	Certain docu	aments cited							
	Box No. VII Certain defects in the international application										
	Box N	No. VIII	Certain obse	ervations on the interna	ational application						
Date of submission of the demand				Date of completion of thi	s report						
Name and mailing address of the IPEA/EP					Authorized officer						
Facsimile No.					Telephone No.						

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/011044

Box	No. I	Basis of the report		
1.		h regard to the language, this report is based on the internaticated under this item.	onal application in the language in	which it was filed, unless otherwise
		This report is based on translations from the original langum which is the language of a translation furnished for the pur international search (Rule 12.3 and 23.1(b)) publication of the international application (Rule 12.	poses of:	,
		international preliminary examination (Rule 55.2 and	d/or 55.3)	
2.	rece	th regard to the elements of the international application, thin iving Office in response to an invitation under Article 14 are report): the international application as originally filed/furnished the description:		
		pages		as originally filed/furnished
		pages*	received by this Authority on	
		pages*	received by this Authority on	
	\boxtimes	the claims:		
		nos.		as originally filed/furnished
		nos.*	as amended (togethe	
		nos.* _ 1-5	received by this Authority on	
		nos.* _ 6-10	received by this Authority on	02.11.2005 with letter of 28.10.2005
		the drawings:		
		sheets		as originally filed/furnished
		sheets*	received by this Authority on	
		sheets*	_ received by this Authority on	
		a sequence listing and/or any related table(s) – see Suppler	nental Box Relating to Sequence L	isting.
3.		The amendments have resulted in the cancellation of:		
		the description, pages		
		the claims, nos.		
		41 - 4 - 4 - (6:		
		the sequence listing (specify):		
4.		This report has been established as if (some of) the amenthey have been considered to go beyond the disclosure as a	dments annexed to this report and	listed below had not been made, since
		the description, pages		
		the claims, nos.		
		the drawings, sheets/figs		
		the sequence listing (specify):		
		any table(s) related to sequence listing (specify):		
*	If ite	em 4 applies, some or all of those sheets may be marked "su	perseded."	

International application No.
PCT/EP2004/011044

Box	No. V			ticle 35(2) with regard to novelty, inventive step or industrial applicability; oporting such statement	
1.	Statement				
	Novelty (N)		Claims	1-10	YES
			Claims		NO
Inventive step (IS)		Claims	1-10	YES	
			Claims		NO
	Industrial applicability (IA)		Claims	1-10	YES
			Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

- D1: EP-A1-1 238 958 (WACKER POLYMER SYSTEMS GMBH & CO. KG; BRILLUX GMBH & CO. KG)

 11 September 2002 (2002-09-11)
- D2: EP-A2-1 262 465 (WACKER POLYMER SYSTEMS GMBH & CO. KG) 4 December 2002 (2002-12-04).
- 1. The present application satisfies the requirements of PCT Article 33(1) because the subject matter of claims 1-10 is novel within the meaning of PCT Article 33(2).
- 1.1 Document D1 discloses (see claims 1, 12, 13; paragraphs 14, 15, 29, 30, 31) the use of dispersion powders that are redispersable in water and are based on a copolymer which is stabilised with a protective colloid, in the production of thermal insulation systems, said copolymer containing monomers that comprise carboxyl groups. Said document does not disclose copolymers containing keto or aldehyde groups.

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1.2 Document D2 discloses (see claims 1, 9, 10; paragraphs 10-16) the use, in the production of thermal insulation systems, of dispersion powders that are redispersable in water and are based on a copolymer which is stabilised with a protective colloid said copolymer containing monomers that comprise carboxyl groups.

Said document does not clearly or explicitly disclose copolymers containing ketone or aldehyde groups.

The embodiments of the present application disclose that, by using dispersion powders containing monomers with aldehyde and ketone groups, the tearing values of a plastics panel (thermal insulating panel) after wet storage are increased (by comparison with the use of dispersion powders based on vinyl acetate/ ethylene copolymers; see the application, page 20, table 1).

Neither D1 nor D2 considers the question of raising the tearing values of thermal insulation composite systems under damp conditions. The subject matter of the present application is therefore considered to be inventive (PCT Article 33(3)).